

Pro Se 15 2016

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Eugene DAVIS

22 CV-01169-RAJ

CASE NO. _____
[to be filled in by Clerk's Office]

COMPLAINT FOR VIOLATION
OF CIVIL RIGHTS
(for use only by plaintiffs not in
custody)

Plaintiff(s),

v.

Jury Trial: ☐ Yes ☒ No

King County Library,
Skyway Branch, Librarians
Fred Gurney and June DOES

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Eugene DAVIS

Street Address

12024 71st Ave so Apt F-298

City and County

SEATTLE KING County

State and Zip Code

Washington 98178

Telephone Number

206-466-1235

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B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Fred Gurney

Job or Title (if known)

Librarian, Information Services Mgr

Street Address

12601 76th Avenue So

City and County

Seattle, King County

State and Zip Code

WASHINGTON 98178

Telephone Number

☒ Individual capacity☐ Official capacity

Defendant No. 2

Name

Jane Doe

Job or Title (if known)

Librarian

Street Address

12601 76th Avenue So

City and County

Seattle, KING COUNTY

State and Zip Code

Washington 98178

Telephone Number

☒ Individual capacity☐ Official capacity

Defendant No. 3

Name

Jane Doe

Job or Title (if known)

Librarian

Street Address

12601 76th Avenue So

City and County

Seattle, KING COUNTY

State and Zip Code

Washington 98178

Telephone Number

☒ Individual capacity☐ Official capacity

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Defendant No. 4

Name

KING COUNTY LIBRARY

Job or Title (if known)

Skyway Branch

Street Address

LIBRARY

City and County

12601 76TH AVENUE SO

State and Zip Code

Seattle KING COUNTY

Telephone Number

WASHINGTON 98178

☐ Individual capacity☐ Official capacity

II. PREVIOUS LAWSUITS

Have you brought any other lawsuits in any federal court in the United States?

☐ No☒ YesIf yes, how many? 1

Describe the lawsuit:

Similar situation lies and deceit of the
 Seattle public librarians and security officers
 depriving me of my rights to be in a
 public place.

Parties to this previous lawsuit:

STAFFORD FREY COOPER

Plaintiff(s)

Myself - Eugene Davis

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Defendant(s)

SEATTLE PUBLIC LIBRARY
SEATTLE SECURITY OFFICER
SEATTLE POLICE

(If there is more than one previous lawsuit, describe the additional lawsuits on another piece of paper using the same outline. Attach additional sheets, if necessary)

Court and name of district: United States DISTRICT COURT
Western District of Washington AT SEATTLE

Docket Number: CV09-1148 MJP

Assigned Judge: Judge Marsha Pechman

Disposition: (For example, was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?)

settled out of court for amount of \$300

Approximate filing date of lawsuit: 12/16/2009

Approximate date of disposition:

III. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens*

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1 v. *Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may
2 sue federal officials for the violation of certain constitutional rights.

3 A. Are you bringing suite against (*check all that apply*):

4 ☐ Federal officials (a *Bivens* claim)

5 ☒ State or local officials (a § 1983 claim)

6 B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or
7 immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are
8 suing under section 1983, what federal constitutional or statutory right(s) do you claim
9 is/are being violated by state or local officials?

10 Freedom of speech and expression, the
11 right to use public facilities
12 _____
13 _____

14 C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional
15 rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are
16 being violated by federal officials?

17 _____
18 _____
19 _____
20 _____

21 D. Section 1983 allows defendants to be found liable only when they have acted "under
22 color of any statute, ordinance, regulation, custom, or usage, of any State or Territory
23 or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983,
24 explain how each defendant acted under color of state or local law. If you are suing

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under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

In my humiliation I was deprived of my right to use King county library (Skyway branch).

IV. STATEMENT OF CLAIM

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Silent harassment, untrue statements by librarians

A. Where did the events giving rise to your claim(s) occur?

Skyway Library branch 12601 76th Avenue S Seattle, Wa 98178

B. What date and approximate time did the events giving rise to your claim(s) occur?

6/15/22 around 2pm in the afternoon

C. What are the facts underlying your claim(s)? (For example: What happened to you?)

Who did what? Was anyone else involved? Who else saw what happened?)
teenage patrons throwing objects at me, loud racial slurs usage in library, inhaling pepper spray while at computer terminals flaring up my asthma symptoms being banned from my neighborhood library in Skyway.

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V. INJURIES

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

these situations caused severe depression
and anxiety

VI. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$100,000 for mental anguish and civil rights
violation.

VII. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

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I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

8/22/22

Signature of Plaintiff

Eugene Davis

Printed Name of Plaintiff

Eugene DAVIS

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff